REMARKS

Claims 1-8 currently remain in the application. Claims 9-15 have been withdrawn and are to be canceled upon allowance of the application. Claim 1 is herein amended.

Regarding the matter of Paragraphs 4 and 5, applicant hereby formally affirms that claims 9-15 are withdrawn from further consideration as being drawn to a non-elected invention and that the election does not affect the inventorship.

Claims 1-8 were rejected under 35 U.S.C. 103 over Onodera in view of Rhoades. In view of these cited references, independent claim 1 has been herein amended to limit its scope further regarding the description of the abrading particles. The amendment is supported by the specification (page 11, lines 27-29) and hence is believed to be enterable.

Onodera was cited for disclosing a slurry of single-crystalline diamond having 3μm particle diameter but amended claim 1 herein is distinguishable because the slurry therein comprises abrading particles that are cluster particles. Onodera characterizes his invention by saying (in [0007]) that the diamond particles hardly coagulate and hence do not result in undesirably deep marks at the time of texturing. In other words, Onodera is teaching away from using cluster particles of the kind that characterizes amended claim 1 herein. Rhoades was cited for disclosing small abrading particles of about 2-30nm and does not teach the use of any cluster particle for texturing. It is therefore to be concluded that these two references, even if considered in combination, fail to support rejection of amended claim 1 herein.

Claims 1, 3-5, 7 and 8 were rejected under 35 U.S.C. 103 over Jones in view of Kagami. Jones discloses a polishing slurry for texturing a surface of magnetic disk but its abrading particles are described merely as diamond particles having diameter 200-5000nm. Kagami was cited evidently merely for disclosing diamond abrading particles of less than 10nm. Neither of these cited references discloses the use of any cluster particles for texturing. By contrast, the present invention is based on the surprising discovery that texturing marks of the desired kind can be formed by using a slurry containing cluster particles, while none of the cited references mentions or even hints at such a use for the same purpose. It is therefore believed that the instant amendment makes claim 1 allowable, as well as all the other claims that are dependent therefrom.

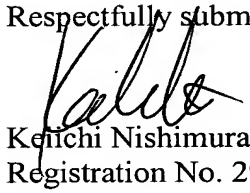
Claims 1, 2 and 7 were rejected over claim 1 of USP6,533,644 for double patenting. The slurry in said USP6,533,644 is distinguishable for containing coagulated polycrystalline diamond particles while the slurry according to the present invention comprises cluster

particles of monocrystalline diamond. It is further to be noted that the slurry in said USP6,533,644 is essentially the same as what is herein referred to as Comparison Example 2. As shown in the specification (page 13, line 24 - page 14, line 11, as well as Table 5), the slurry of this Comparison Example cannot produce clear texturing lines on the surface of a glass substrate while slurry samples according to the present invention can form such texturing lines clearly and at high densities. Moreover, USP6,533,644 does not include any statement suggesting or hinting at using monocrystalline cluster particles of diamond for texturing.

Claims 4-11 of copending application 10/776,372 also include polycrystalline diamond particles and hence are believed to be distinguishable.

In summary, it is believed that the present Amendment is totally responsive to the Office Action and hence that the application is now in condition for allowance.

Respectfully submitted,



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